

REMARKS

Claims 1, 3-10, 12-16 are pending in the application. The claims were rejected in the previous action under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,446,261 to Rosser in view of U.S. Patent 6,434,747 to Khoo et al. With entry of the foregoing changes, claims 1 and 10 are now amended.

Claim Formalities

Claims 9 and 10 were objected to for reasons of clarity. In particular, claim 9 has been amended to recite “in response to a selected channel.” The Applicant notes that the objection to claim 10 was corrected in the previous Amendment dated January 24, 2003.

35 U.S.C. §103 Rejection

The Office Action rejected 1, 3-10, 12-16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,446,261 to Rosser in view of U.S. Patent 6,434,747 to Khoo et al.

The Examiner stated that Rosser teaches developing user profiles and associating advertisements with group profiles to target appropriate users, but acknowledged that the profiles are stored locally and that all available content (i.e., advertisements) is downloaded to the client devices. However, the Examiner was of the opinion that Khoo teaches customized content download to client devices based on user profiles matching and sending messages that instruct the targeted network devices on when and which content to download. In particular, the Examiner stated that in Khoo “the client devices are instructed to only download content which matches the user profile and customizes media list; the entire collection of available content is not sent to the user, but only a portion based on the profile/customized media list.”

Claims 1 and 10 have been amended to point out that the present invention initiates scheduling of content download and activation to a targeted group of devices. Thus, the present invention controls the scheduling of content download and activation as opposed to the individual devices themselves. To accomplish this, the present invention matches the stored user profiles of multiple network devices to a group profile, generates individual messages for the

targeted devices to schedule content download and activation, and then initiates delivery of the scheduling messages to the targeted devices. In particular, device address information from the matched user profiles are used to generate the scheduling messages. The targeted network devices then download and activate the content according to the scheduling messages.

Support for these amendments to claims 1 and 10 may be found at least in Figs. 4A-4D, which illustrate scheduling messages in the form of (i) download and install messages and (ii) download, install, and start messages. These scheduling messages are sent to all network devices whose user profiles match the attributes of a group profile (page 22, lines 12-18). In the case where a download and install message is delivered, a target device waits for a start message to activate the content (Fig. 4C, page 25, line 9 to page 26, line 4). Alternatively, when a download, install and start message is delivered, a target device activates the content at a predetermined date/time (Fig. 4B, page 24, line 1 to page 25, line 8) or in response to a particular event (Fig. 4D, page 26, line 17 to page 27, line 18) as indicated in the message. Furthermore, support for the user profile including user and device address information and messages being generating from the device address information can be found at least in Fig. 2C, page 17, line 3 through page 18, line 11, and page 19, lines 19-22.

In contrast, the client devices in Khoo are required to poll the server system in order to initiate the process for generating and sending instructions for content download. In particular, Khoo only generates and transmits a custom media list in response to a client device providing personalized data to the server system. See steps 500 and 505 in Figure 5 and steps 615 and 620 in Fig. 6. The Applicant argues that the system in Khoo can lead to bandwidth problems due to concurrent client data requests from the individual devices. Such issues are avoided by the present invention through generating individual scheduling messages to schedule content download and initiating delivery of the messages, thus, pushing these messages out to the target devices. Khoo also does not teach or suggest storing device address information for use in generating the scheduling messages.

In Rosser, the individual viewer usage profiles (i.e., user profiles) are developed and stored locally at each network device, and all available content is broadcast to all devices along with a required viewer usage profile (i.e., group profile). Each device must individually determine whether to display particular content by comparing its local viewer usage profile with the required viewer usage profile for that content. Rosser also does not teach or suggest storing device address information for use in generating the scheduling messages.

Thus, neither Rosser nor Khoo teaches or suggests matching stored user profiles of multiple network devices to a group profile for targeting content, generating individual messages for the targeted devices to schedule content download and activation, and then initiating delivery of the scheduling messages to the targeted devices, as now recited in claims 1 and 10.

By virtue of their dependency from claims 1 and 10 respectively, it is also believed that the rejection of claims 3-9 and 12-16 is traversed with the above amendment. These claims are now allowable in view of the prior art of record.

Information Disclosure Statement

An Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry of the IDS is respectfully requested. In particular, we note that international publication WO 99 66719 A to Zigmond et al ("Zigmond") discloses an advertisement insertion device for toggling between a video programming feed and selected advertisements for display in a home entertainment system. Zigmond also does not teach or suggest applicants' invention as now recited in claims 1 and 10.

Referring to Figs. 3 and 5 of Zigmond, the ad insertion device 60, 80, such as a WebTV box, is located within a household device 56 and receives a plurality of advertisements. From these advertisements, the ad insertion device selects advertisements for display according to locally stored viewer/system information 82 and ad selection criteria 83. Upon receiving a trigger signal, the ad insertion device switches from the video programming feed to a selected

advertisement for display. Thus, in the disclosed embodiments, Zigmond, like Rosser, does not teach scheduling for customized content download and activation.

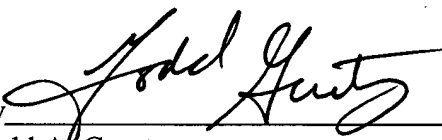
However, we note that Zigmond mentions that the “[o]ther examples of suitable ad insertion devices 60 may have some components thereof at household 56 and other components at a remote location,” and that “selection of appropriate advertisements for a particular household may be conducted at a remote location, with the selected advertisements being transmitted to the household at the appropriate time by multiplexing multiple video streams or by use of a conventional telephone network or another communication infrastructure.” (See Zigmond, page 10, line 26 through page 11, line 6).

However, the mere suggestion that selected advertisements may be transmitted using a “communication infrastructure” does not anticipate all possible communication infrastructures. Even the ubiquitous TCP/IP protocol does not suggest generating and initiating delivery of scheduling messages prior to data transfers. Thus, like Rosser and Khoo, Zigmond also does not teach or suggest matching stored user profiles of multiple network devices to a group profile for targeting content, generating individual messages for the targeted devices to schedule content download and activation, and then initiating delivery of the scheduling messages to the targeted devices, as now recited in claims 1 and 10.

CONCLUSION

In view of the above amendments and remarks, it is believed that claims 1, 3-10, 12-16 are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,
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